

FILED

OCT 13 1998

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MAY SHABOON, M.D.,
Plaintiff

V.

CHARLES A. DUNCAN, M.D.,
et. al.,
Defendants

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CIVIL ACTION NO. SA 94 CA 0697/EP

ORDER

On this day the Court considered Plaintiff's Motion for Clarification, in the Alternative for Partial Modification or Reconsideration filed September 29, 1998. After considering the issues raised in Plaintiff's Motion and the issues raised in the University Defendants' Renewed Motion to Dismiss, this Court is of the opinion that Plaintiff's Motion has merit and should be GRANTED. It is therefore

ORDERED, ADJUDGED and DECREED as follows:

1. This Court's August 21, 1997 Order striking allegations against or references to Dr. DeFronzo, Mr. Boyle or Dr. Weser was intended to clarify that those three persons are no longer parties to this suit and that no references to them in Plaintiff's Third Amended Complaint as Defendants would be accurate; and
2. Plaintiff's allegations about actions those persons took or documents they signed are not stricken for the purpose of considering whether Plaintiff has sufficiently pled conspiracy and other claims against the remaining Defendants.

SIGNED this 13th day of October, 1998

[Signature]
EDWARD C. PRADO
United States District Judge

142